

## REMARKS

As the Examiner admitted, Li disclosed the use of *two* switching matrices per wavelength. FIG. 23 depicts two switching matrices 70, 70 for the first wavelength  $\lambda_1$  and two more switching matrices 80, 80 for the second wavelength  $\lambda_k$ .

By contrast, applicant's main claim 25 recited, as illustrated in Fig. 3, that switching matrix S1 only switches wavelength channel  $\lambda_1$ . Each single wavelength channel is switchable by only a *single* switching matrix at each node. Thus, wavelength channel  $\lambda_1$  is only switched by switching matrix S1 at each node.

In light of the Examiner's comments in the Final Office Action, perhaps the wording of main claim 25 needs to better clarify that there is only one switching matrix for each wavelength in each node. In other words, *all channels of the same wavelength are switched by the same switching matrix*. The Examiner does not seem to be interpreting the wording of main claim 25 in this way.

Hence, claim 25 has been modified, as follows:

"configuring the cross-connect at each of the start node and the target node with a plurality of switching matrices for switching wavelength channels, the cross-connect at each of the start node and the target node having only a single each switching matrix being operative for switching a wavelength channel of each only a single wavelength, each single wavelength channel being switchable by only the respective said single a-single switching matrix;"

It is believed that this amendment clarifies that there is only one switching matrix for each wavelength in each node. The Examiner has not offered any reason why Li would be relevant when there is only one switching matrix per wavelength per node.

There does not appear to be any motivation or suggestion in Li to utilize only a single wavelength selective switching matrix for each wavelength channel, and to minimize the number of switching matrices used. Indeed, Li's inclusion of "additional" switching matrices teaches against the approach of the present invention. It is, therefore, submitted that claim 25 is novel and not obvious in view of Li. It follows that dependent claims 26-30 are also novel and non-obvious in view of Li.

It is believed that this application is in order for allowance.

If the Examiner believes that the wording of claim 25 could be further improved, then he is invited to *telephone the undersigned* to discuss any such improvements.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

KIRSCHSTEIN, ISRAEL, SCHIFFMILLER & PIERONI, P.C.

Attorneys for Applicant(s)  
425 Fifth Avenue, 5<sup>th</sup> Floor  
New York, New York 10016-2223  
Tel: (212) 697-3750  
Fax: (212) 949-1690

/Alan ISRAEL/

---

Alan Israel  
Reg. No. 27,564